

REMARKS

The specification has been amended as needed so as to place this application in condition for disposal at the time of the next Official Action.

The Abstract of the Disclosure has also been rewritten.

The claims previously in the case have been replaced by a set of new claims that are believed to be proper as to form and clearly patentable over the cited references.

In drafting the new claims, careful attention was paid to the Examiner's formal criticisms of the original claims, all of which formal criticisms are believed to be avoided by the new claims.

Reconsideration is respectfully requested, for the rejection of the claims as anticipated by PETRUSSA.

The only similarity between PETRUSSA and the present invention is that PETRUSSA is a syringe that prevents reuse, as is also the present invention.

But the mechanisms and structure by which non-reusability is achieved, are completely different in PETRUSSA and in the present invention.

In the present invention, as perhaps best seen in Figure 4, the reservoir contains a piston seen at the top and a needle 5 seen at the bottom. The reservoir has a lip which is the structure integral with the reservoir that surrounds the mechanism shown in Figure 2. There is disposed within this lip a

needle carrier 4 (see Figure 1) and a spring 8 (again, see Figure 1), the spring 8 continuously urging the needle carrier 4 in a direction toward the piston.

The heart of the invention is the flexible member 9, which is conveniently referred to in the specification as a "spider"; and comparison of Figures 2 and 3 will show how apt this description is. Spring 8 continuously urges the needle carrier toward a position in which what might be called the "knees" of the flexible member 9 engage under a shoulder 11 on the lip. This holds the needle carrier in a position in which the needle 5 is extended for use.

As the piston progressively dispenses the liquid through the needle, it progressively approaches the flexible member 9. When the piston passes to the point of irreversibility 15, it contacts the central portion 91 of the flexible member 9. This pushes member 9 from the Figure 2 position to the Figure 3 position. Two things happen: first, the "knees" of flexible member 9 are retracted, inwardly to a position in which they are out of contact with shoulder 11, and second, the hooks 99 engage under the shoulder 43 of the needle carrier, and this holds the "knees" in retracted position, drawn inwardly as in Figure 3, so that the "knees" no longer prevent the upward movement of the needle carrier and the needle and the flexible member 9. In this position, then, the spring 8 can move the needle carrier and flexible member upward, restrained only by the retreating piston,

until the spring is extended to the point that the needle is retracted within the lip and the device can then be safely discarded.

Clearly, PETRUSSA shows nothing of this.

New claim 21 clearly brings out this basic structure and operation; and the claims dependent from claim 21 add further features of novelty thereto.

The new claims are thus believed to be in condition for allowance, and passage to issue is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

Robert J. Patch, Reg. No. 17,355  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

RJP/lk

**APPENDIX:**

The Appendix includes the following item:

- a new Abstract of the Disclosure